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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,424	09/27/2000	Michael L. Grandcolas	CITI0209/196411	5925
27510	7590	06/01/2007	EXAMINER	
KILPATRICK STOCKTON LLP			COLBERT, ELLA	
607 14TH STREET, N.W.				
WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER
			3694	
			MAIL DATE	DELIVERY MODE
			06/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/671,424	GRANDCOLAS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ella Colbert	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 April 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 51 and 52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 51 and 52 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. Claims 51 and 52 are pending in this communication filed 04/26/07. Claims 51 and 52 have been amended in this After Final Rejection and Notice of Appeal.
2. The objection to the abstract has been overcome by Applicants' amendment to the abstract and is hereby withdrawn.
3. The objections to claims 51 and 52 has been overcome by Applicants' amendment to the claims and is hereby withdrawn.
4. Applicants' request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,539,361) Richards et al, hereafter Richards.

As per claim 51, Richards discloses, A platform-independent method for configuring a self-service financial transaction device in a global communications network having a plurality of nodes interconnected with communication lines, comprising: receiving a session request from a user using a transaction card at an interactive interface to access said self-service financial transaction device and ascertaining from the transaction card a status of the user as a customer or non-customer and a status of the user as a local or international user (col. 11, line 46-col. 13, line 54, col. 14, line 15-22 and line 56-col. 15, line 65 and col. 16, lines 17-50); selectively associating said session request with pre-stored parameters for configuring a standardized user specific interactive interface, wherein said parameters consist at least in part of a set of parameters for determining financial application functions to be offered to the user based on the status of the user as a customer or non-customer and a set of parameters for determining language application functions to be offered to the user based on the status of the user as a local or international user (col. 16, lines 10-67 and

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col. 17, line 1-col. 18, line 4); and displaying said standardized customer-specific interactive interface to provide said user with the offering of financial application functions depending on the status of the user as a customer or non-customer and language application functions depending on the status of the user as a local or international user (col. 22, line 30-col. 23, line 52, col. 24, lines 9-21 and line 46-col. 25, line 40). It is noted that this claim requires only one of the recited elements. – The elements are customer or non-customer and local or international user. Richards did not expressly disclose “ascertaining from the transaction card a status of the user as a customer or non-customer and a status of the user as a local or international user. However, Richards does disclose a touch screen which includes an icon which indicates in one or more languages that to commence a transaction the user should touch the screen –col. 11, lines 46-49 and the card reader reading the card data – col. 12, line 33-37. This is interpreted as determining the status of the user as a customer or a non-customer and a local or international user. Richards in col. 11, line 46-col. 13, line 54 discloses a session request from a user using a transaction card –touch screen 30 ... transaction sequence includes an icon which indicates in one or more languages to commence a transaction to a user –this is interpreted as determining whether the customer is a customer or non-customer and local or international user depending on the language and the accepted transaction card. The card which is input to a card reader by the customer has the card data to be read by a device which is capable of determining the status of the customer from that data in col. 12, line 33-col. 13, line 36. Col. 22, line 30 begins by discussing the operation of a computer system when a

"foreign user uses the ATM and Figures 19-24 show a transaction with a foreign user who is not a customer of the institution operating the ATM and completes the process in col. 23, line 52 and in col. 24, line 47-col. 25, line 40 discusses the communication to a user in a language different from that of customers of the institution which is interpreted as the displaying of ... offering a financial application functions depending on the status of the customer (user) as a local or international customer (user).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,539,361) Richards et al, hereafter Richards in view of (US 6,061,666) Do et al, hereafter Do.

As per claim 52, Richards discloses, A platform-independent method for configuring a self-service financial transaction device in a global communications network having a plurality of nodes interconnected with communication lines, comprising: receiving a session request from a user using a transaction card at an interactive interface to access said self-service financial transaction device and ascertaining from the transaction card a status of the user as a customer or non-customer and a status of the user as a vision impaired or vision unimpaired user (col. 11, line 46-col. 13, line 54, col. 14, line 15-22 and line 56-col. 15, line 65, col. 16, lines 17-50, and col. 35, lines 13-29); selectively associating said session request with pre-stored parameters for configuring a standardized user specific interactive interface, wherein said parameters consist at least in part of a set of parameters for determining financial application functions to be offered to the user based on the status of the user as a customer or non-customer and a set of parameters for determining language application functions to be offered to the user based on the status of the user as a vision impaired or vision unimpaired user (col. 16, lines 10-67 and col. 17, line 1-col. 18, line 4); and displaying said standardized customer-specific interactive interface to provide

said user with the offering of financial application functions depending on the status of the user as a customer or non-customer and language application functions depending on the status of the user as a vision impaired or vision unimpaired user (col. 22, line 30-col. 23, line 52, col. 24, lines 9-21 and line 47-col. 25, line 40). It is noted that this claim requires only one of the recited elements. – The elements are customer or non-customer and vision impaired or vision unimpaired user. Richards did not expressly disclose “ascertaining from the transaction card a status of the user as a customer or non-customer and a status of the user as a vision impaired or vision unimpaired user. However, Richards does disclose a touch screen which includes an icon which indicates that to commence a transaction the user should touch the screen –col. 11, lines 46-49 and the card reader reading the card data – col. 12, line 33-37. This is interpreted as determining the status of the user as a customer or a non-customer. Richards in col. 7, line 16-18 – “Alternative embodiments of the invention may include other output devices such as audio speakers” which indicates that a person who is visually impaired can use the ATM machine.

Richards discloses the invention substantially as claimed except expressly disclosing that the customer is vision impaired or vision unimpaired. Do et al discloses an ATM machine for the blind and visually impaired while being useful for the sighted (see abstract) and col. 4, line 66-col. 6, line 7. It would have been obvious to one having ordinary skill in the art to modify Richards with the teachings of Do because this would allow Richards to have the capability to accommodate

customers who are blind or vision impaired or sighted making it easier for all customers to use the same ATM (see col. 4, line 66-col. 5, line 1).

### **Response to Arguments**

7. Applicants' arguments filed 04/26/07 have been fully considered.

Issue no. 1: Applicants' argue: Richards fails to disclose ascertaining from the transaction card a status of the user as a customer or non-customer and a status of the user as a vision impaired or vision unimpaired user as recited in claims 51 and 52, the Examiner now claims that receiving a session request from a user using a transaction card at an interactive interface to access said self-service financial transaction card is a status of the customer or non-customer and status of the user as a local or international user, as recited in claims 51 and 52, is not a claim limitation and that it would be necessary to include a claim limitation "that the user is visually impaired or vision impaired" to distinguish Richards has been considered but is not persuasive.

Response: The Examiner was referring to claim 51 because "vision impaired or vision unimpaired" is not found in the claim limitations of claim 51 as argued in the previous arguments of 11/06/06.

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blumstein et al (US 5,589,855) disclosed a terminal for the visually impaired customer.

Crandall (US 5,616,901) disclosed an ATM for sight impaired persons and print disabled persons.

Taskett (US 5,762,376) discloses a prepaid transaction instrument that can be used in different languages.

### **Inquiries**

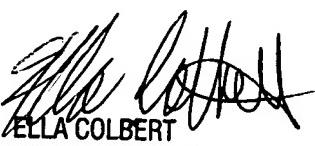
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Wednesday, and Thursday, 5:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 29, 2007



ELLA COLBERT  
PRIMARY EXAMINER